

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No: 9408

Applicant: Machlica, John W. Atty. Docket: 88062.000006

Application No.: 10/775,454 Examiner: Welch, Gary L.

Filed: February 10, 2004 Art Unit: 3765

Title: GARMENT HANGER

A M E N D M E N T

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed March 17, 2006, please amend the above referenced application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper. This listing of claims will replace all prior versions and listings of the claims in this application.

Remarks begin on page 8 of this paper.

Amendments to the Specification

[0046] Referring to FIG. 6, in the overchannel configuration, an overchannel 40 is selected to alter the garment contacting surface of the frame 3. Preferably, the garment contacting surface area defined by the overchannel 40 is substantially larger than the garment contacting surface area defined by the frame 3. The increased garment contacting surface area can be defined by the cross section of the overchannel 40, as well as a longitudinal dimension of the overchannel with respect to the depending arms 6 of the frame 3. That is, the overchannel 40 can be sized to extend beyond the terminal end of the garment contacting arms 6 of the frame 3. As seen in FIG. 6, the overchannel extends beyond the terminal end of the garment contacting arms 6 of the frame 3 by approximately 40% and in FIG. 9 by approximately 36% of the length of the garment engaging arm. Thus, the overchannel 40 increases the effective size of the hanger, without requiring additional material in the underlying frame 3.

Amendments to the Claims

1. (Currently amended) A garment hanger having a frame forming a hook and a pair of depending garment engaging arms and a transverse strut extending between the garment engaging arms, ~~the improvement~~ garment hanger comprising:

(a) a continuously convex length in each of the garment engaging arms, the convex length substantially extending from the hook to the strut; and

(b) a polymeric sheath extending along at least one of the garment engaging arms, the polymeric sheath circumscribing the garment engaging arm along a length of the garment engaging arm.

2. (Original) The garment hanger of Claim 1, wherein the polymeric sheath extends along both garment engaging arms.

3. (Cancelled) The garment hanger of Claim 1, wherein the polymeric sheath encapsulates a length of the one of the garment engaging arms.

4. (Original) The garment hanger of Claim 1, wherein the polymeric sheath is concentric with the one of the garment engaging arms.

5. (Original) The garment hanger of Claim 1, wherein the polymeric sheath is eccentric with the one of the garment engaging arms.

6. (Original) The garment hanger of Claim 1, wherein the polymeric sheath has a cellular structure.

7. (Original) The garment hanger of Claim 1, wherein the polymeric sheath is an overmolding.

8. (Original) The garment hanger of Claim 1, wherein the polymeric sheath is a separable sleeve.

9. (Original) The garment hanger of Claim 8, wherein the separable sleeve includes a longitudinally extending slit for receiving a cross section of the garment engaging arm.

10. (Original) The garment hanger of Claim 1, further comprising a second polymeric sleeve extending along the hook.

11. (Currently amended) The garment hanger of Claim 1, wherein the polymeric sheath is a sleeve having a circular cross section with an outer diameter at least twice a diameter of the garment engaging arm.

12. (Currently amended) A method of forming a garment hanger, comprising:

(a) forming a frame having a hook, a pair of depending garment engaging arms and a transverse strut extending between the garment engaging arms, the garment engaging arms having a continuously convex length substantially extending from the hook to the strut; and

(b) forming a polymeric encapsulation on the garment engaging arms a metal hanger along a length of the hanger, the metal hanger having a hook and a pair of garment engaging arms.

13. (Currently amended) The method of Claim 12, wherein forming the polymeric encapsulation sheath includes overmolding a polymeric material about the portion of the metal hanger.

14. (Currently amended) The method of Claim 12, wherein forming the polymeric encapsulation sheath includes disposing a preformed polymeric sleeve over the portion of the metal hanger.

15. (Currently amended) An accessory for a garment hanger having a hook and a pair of garment engaging arms, the garment engaging arms having a longitudinal axis, the accessory comprising:

(a) an overchannel having a generally U-shape cross section defined by a closed end and a pair of legs, and a channel longitudinal axis, the closed end including an aperture sized to pass the hook therethrough, the channel longitudinal axis being different than the longitudinal axis of the garment engaging arm, the overchannel extending beyond a terminal end of the garment engaging arm by approximately 40% of a length of the garment engaging arm.

16. (Original) The accessory of Claim 15, wherein the overchannel is an integral one piece body.

17. (Original) The accessory of Claim 15, wherein the overchannel includes a first layer defining the first leg and a second layer defining the second leg, the first layer and the second layer bonded together to form the closed end.

18. (Original) The accessory of Claim 15, wherein an inner surface of at least one of the legs includes a capture tab, sized to retain a section of the garment engaging arm intermediate the capture tab and the closed end.

19. (Original) The accessory of Claim 15, wherein the overchannel is an integral one piece construction and is sized to extend beyond a terminal end of each garment engaging arm.

20. (Original) The accessory of Claim 15, wherein the legs include a plurality of capture tabs sized to retain the garment engaging arm relative to the overchannel.

21. (Original) The accessory of Claim 20, wherein the plurality of capture tabs engages a first garment engaging arm having a first longitudinal axis and a second garment engaging arm having a different second longitudinal axis.

22. (Withdrawn) A garment hanger, comprising:

(a) a frame having a hook, a pair of garment engaging arms, and a transverse strut, the garment engaging arms defining a continuously convex profile between the hook and the transverse strut, the strut being vertically spaced from the hook by a distance greater than the garment engaging arms.

23. (Withdrawn) The garment hanger of Claim 22, wherein the convex profile has a constant radius of curvature.

24. (Withdrawn) The garment hanger of Claim 22, wherein the convex profile has a varying radius of curvature.

25. (Withdrawn) The garment hanger of Claim 22, wherein the transverse strut has a length of at least 21 inches.

26. (Withdrawn) A garment hanger, comprising:

(a) a frame having a hook, a pair of garment engaging arms, and a transverse strut, the garment engaging arms defining a continuously convex profile between the hook and the transverse strut, the garment engaging arms being entirely disposed intermediate the strut and the hook.

Remarks

In response to the Office Action mailed March 17, 2006, the present application has been carefully reviewed and amended. Entry of the foregoing amendments and reconsideration of the application are respectfully requested.

Drawings

Figure 1 has been amended to include the legend -- Prior Art --. A replacement sheet is accompanies this amendment.

Rejections under 35 USC §102

Claims 1 - 9 and 11 - 21 stand rejected under 35 USC §102 as being anticipated by Bevelander (US 4,632,287). The Examiner asserts the '287 patent discloses, the polymeric sheath 24 encapsulates a length of one of the garment engaging arms 16. [Paper 03152006, p. 4]

Claim1 has been amended and recites in part,

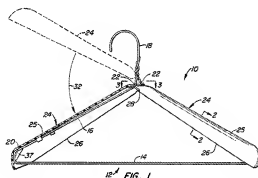
the polymeric sheath circumscribing the garment
engaging arm along the length of the garment
engaging arm.

Applicant respectfully submits Bevelander does not disclose this limitation. Specifically, as cited by the Examiner, Figure 2 discloses a member 24 of Bevelander engaging the hanger segment 16 by ridges 33 to releasably engage the member to the segment. However, this does not provide a circumscription of the garment engaging arm as recited in Claim 1. That is, as seen in Figure 2 of the '287 patent, there is an open bottom exposing the hanger.

Further, Claim 1 has been amended to recite,

a continuously convex length in each of the garment engaging arms, the convex length substantially extending from the hook to the strut

Bevelander does not disclose this structure. Specifically, the members 24 of Bevelander are linear between the hook segment 18 and the bottom segment 14.



The absence of at least these limitations in amended Claim 1 overcomes the outstanding rejection of Claim 1 in view of Bevelander.

As Claim 2 depends from Claim 1 and includes all limitations thereof, Claim 2 is also in condition for allowance.

Claim 4

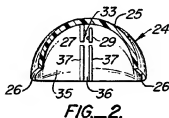
Claim 4 depends from Claim 1 and further recites in part,

wherein the polymeric sheath is concentric with the one of the garment engaging arms.

The Examiner asserts,

the polymeric sheath 24 is concentric with one of the garment engaging arms 16 since the sheath surrounds the frame of the hanger (Figure 2). [Paper 03152006, p. 4]

Applicant respectfully submits Figure 2 of Bevelander does not disclose a concentric sheath about a garment engaging arm 16.



Concentric is defined as having a common center. Applicant is unable to identify a center of the member 24. Further, were the center of the segment 16 of Bevelander deemed to be concentric with the hanger, Applicant respectfully submits such linguistic manipulation of the term concentric is not sustainable.

Further, Applicant notes the Examiner asserts the polymeric sheath 24 of Bevelander is both concentric with one of the engaging arms and eccentric with one of the engaging arms in that the sheath simultaneously surrounds the frame of the hanger and does not extend completely around the entire arm 16.

Therefore, applicant submits Claim 4 is in condition for allowance.

Claim 5

As Claim 5 depends from Claim 1 and includes all the limitations thereof, Claim 5 is condition for allowance.

Claim 6

Claim 6 recites in part, "the polymeric sheath has a cellular structure."
The Examiner asserts, without support,

the polymeric sheath 24 is fabricated from plastic and has a cellular structure. [Paper 03152006, p. 5]

No portion of Bevelander has been identified to disclose the polymeric sheath 24 has a cellular structure. Further, there is not basis for the assertion that all plastics have a cellular structure. The absence of this limitation overcomes the asserted rejection.

Claims 7-9

Claims 7, 8 and 9 depend from Claim 1 and include all the limitations thereof. Therefore, this claims are believed in condition for allowance.

Claim 11

Claim 11 has been amended and recites in part “the polymeric sheath is a sleeve having a circular cross section.”

As Bevelander does not disclose a sleeve having a circular cross section, Applicant respectfully submits this rejection has been overcome.

Claim 12

Independent Claim 12 has been amended and recites in part,

forming a frame having a hook, a pair of depending garment engaging arms and a transverse strut extending between the garment engaging arms, the garment engaging arms having a continuously convex length substantially extending from the hook to the strut; and forming a polymeric encapsulation on the garment engaging arms

Bevelander does not disclose an encapsulation of the segment 16. That is, the Bevelander segment 16 is exposed through the open bottom of the member 24. Further, Bevelander does not disclose the recited continuously convex garment engaging arms.

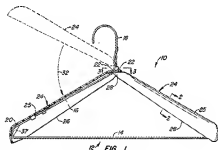
The absence of at least these limitations overcomes the outstanding rejection.

As Claims 13 and 14 depend from Claim 12 and include all the limitations thereof, these claims are also in condition for allowance.

Claim 15

Independent Claim 15 has been amended to recite in part,
the overchannel extending beyond a terminal end of
the garment engaging arm by approximately 40% of a
length of the garment engaging arm.

The sheath 24 of Bevelander is substantially co-terminus with the hanger segment 16.



Applicant respectfully submits amended Claim 15 overcomes the outstanding rejection.

As Claims 16 - 21 depend from Claim 15 and include all the limitations thereof, these claims are also in condition for allowance.

Rejections under 35 USC § 103

Claim 10 stands rejected under 35 USC § 103 as being unpatentable over Bevelander in view of Hill (US 4,040,545). [Paper 03152006, p. 7]

Claim 10 depends from Claim 1 and includes all the limitations and amendments thereof. In view of the amendments to Claim 1, Applicant respectfully submits Bevelander no longer discloses the invention substantially as claimed, and thus, cannot sustain the rejected under 35 USC § 103.

Therefore, Applicant respectfully submits all the pending claims, Claims 1, 2 and 4 – 21 are in condition for allowance and such action is earnestly solicited. If, however, the Examiner feels that any further issues remain, the Examiner is cordially invited to contact the undersigned so that such matters may be promptly resolved.

Dated: September 18, 2006

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Brian B. Shaw".

Brian B. Shaw, Registration No. 33,782
Harter Secrest & Emery LLP
1600 Bausch & Lomb Place
Rochester, New York 14604
Telephone: 585-232-6500
Fax: 585-232-2152